

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RAYMOND E. WASHINGTON,)
Petitioner,)
vs.) Civil Action No. 09-850
UNITED STATES OF AMERICA,)
Respondent.)

O R D E R

AND NOW, this 4th day of January, 2010, upon consideration of Petitioner Raymond E. Washington's pro se Petition for "Writ of Habeas Corpus" (Document No. 3) filed in the above-captioned matter on June 29, 2009,¹

IT IS HEREBY ORDERED that said Petition is DENIED.

Contrary to Petitioner's contentions, his sentence for supervised release violations at Criminal No. 89-152 was not imposed to run concurrently with any other sentence. Indeed, at the time that sentence was imposed, Petitioner was not under any other sentence. See Doc. No. 262 at CR 89-152. Likewise, Petitioner did not ask "for time served," nor was any credit given. See id. In any event, the Court notes that it is the Bureau of Prisons ("BOP"), and not the Court, that determines what credit can be awarded for

¹Although the present Petition was filed by Petitioner pro se, the Court subsequently granted Petitioner's motion for the appointment of counsel on July 1, 2009.

prior detention under 18 U.S.C. § 3585(b). See United States v. Wilson, 503 U.S. 329 (1992); United States v. Jones, 74 Fed. Appx. 180 (3d Cir. 2003).

Because there is no indication that Petitioner has commenced, much less completed, the term of imprisonment imposed by the Court on December 12, 2006, there is no basis for removing the federal detainer in this case. Accordingly, Petitioner's petition is denied.

s/Alan N. Bloch
United States District Judge

ecf: Counsel of record